PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of	Docket No: Q79265
Tatsuya MITSUGI, et al.	
Appln. No.: 10/758,220	Group Art Unit: 2152
Confirmation No.: 5741	Examiner: Brian P. Whipple
Filed: January 16, 2004	

For: INFORMATION TRANSMISSION APPARATUS AND INFORMATION TRANSMISSION METHOD

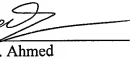
SUBMISSION OF APPEAL BRIEF

MAIL STOP APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith please find an Appeal Brief. The USPTO is directed and authorized to charge the statutory fee of $510.00 and all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Date: August 25, 2008

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APPEAL BRIEF UNDER 37 C.F.R. § 41.37

MAIL STOP APPEAL BRIEF - PATENTS
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P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. § 41.37, Appellant submits the following:

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I. REAL PARTY IN INTEREST

The real party in interest is MITSUBISHI DENKI KABUSHIKI KAISHA, the assignee of the present application, by virtue of an assignment executed by Tatsuya Mitsugi and Chikako Takeuchi on December 25, 2003. The assignment was recorded on January 16, 2004, at Reel 014904, Frame 0534.

II. RELATED APPEALS AND INTERFERENCES

Upon information and belief, there are no other prior or pending appeals, interferences or judicial proceedings known to Appellants' Representative or the Assignee that may be related to, be directly affected by, or have a bearing on the Board's decision in the Appeal.

III. STATUS OF CLAIMS

Claims 1-18 are all the claims pending in the application. Claims 1-18 have been rejected, and are the subject of this appeal.

Claims 1-18 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over E.P. Publication No. 1071288 to Blahut.

IV. STATUS OF AMENDMENTS

A Response Under 37 C.F.R. § 1.116 was filed on May 22, 2008, in response to the Final Office Action dated February 25, 2008. No amendments to the claims remain unentered.

V. SUMMARY OF THE CLAIMED SUBJECT MATTER

For the Board's convenience, Appellants will first describe the relevant art (pages 1 and 2 of the Specification), and then exemplary embodiments of the invention (pages 6-30 of the Specification). This discussion of the exemplary embodiments and the pending claims is provided for explanatory purposes only, and is not intended to limit the scope of the claims.

Relevant Art

A time slot generating apparatus that can specify conditions of an issue or stop of a data transmission request has been used in related art information transmission apparatus and information transmission methods, in order to check the functionality and operation of a system. In the related art information transmission apparatus, when original data are divided into a plurality of parts and they are stored in a plurality of storage units, respectively, a time slot generating apparatus generates time slots as time units and then transmits parallel data from the plurality of storage units by performing timing control based on those generated time slots. As a result, the time slot generating apparatus can transmit the original data at a data transmission rate that exceeds a data transmission rate that each storage unit can provide. Such time slot generating apparatus are provided with a register used for operation checking, which specifies time slots in which parallel data transmission is carried out, and carries out transmission of parallel data from the plurality of storage units only in the time slots specified by the register used for operation checking. Therefore, the time slot generating apparatus is able to check the functionality and operation of a system.

One problem with the related information transmission apparatus and information transmission methods such as the one discussed above is that although only one connection line

is required when only one party at the other end of connection receives transmitted information, when a plurality of parties at the other ends of connection receive transmitted information. Accordingly, a plurality of connection lines are required and the number of connection lines increases with an increase in the number of parties at the other ends of connection. Another problem is that when transmitting the same transmission information to a plurality of parties at the other ends of the connection, it is necessary to transmit the same transmission information to each of the plurality of parties at the connection ends.

An exemplary, non-limiting embodiment of the present invention has been accomplished in view of the above circumstances. Accordingly, it is an aspect of an exemplary embodiment of the present invention to provide an information transmission apparatus for and an information transmission method of being able to transmit information to a plurality of recipients by way of only one connection line. It is another aspect of the present invention to provide an information transmission apparatus for and an information transmission method of being able to, even when transmitting identical information to a plurality of recipients, prevent repeated transmission of the identical information.

Independent claim 1

Claim 1 is directed to an information transmission apparatus. Exemplary embodiments of the information transmission apparatus are shown in Figs. 1-3 and described generally at pages 6-12. The information transmission apparatus (FIG. 1, 100) comprises:

request analyzing means (106) for receiving an instruction including both a request for transmission of specific information (e.g., Image Source A in FIG. 3) and an identifier (e.g., M1) from one of a plurality of information processing apparatus (e.g., Monitors M1-M4) connected

with said information transmission apparatus by way of a common connection line (108), said identifier identifying said information processing apparatus that has made the transmission request and said plurality of information processing apparatus having their respective identifiers (e.g., M1-M4), and for analyzing the specific information to be transmitted and the identifier associated with said instruction (page 8, lines 13-19);

storage means (107 and FIG. 2) for storing array data about arrays (e.g., F(0)) each indicating a correspondence between one of a plurality of different pieces of information (e.g., Image Source A) to be transmitted and at least an identifier (e.g., M1, M2) identifying one of said plurality of information processing apparatus (page 8, lines 19-27);

information addition means (105) for adding the identifier associated with said instruction to the specific information associated with said instruction by referring to said storage means (107) based on analysis results from said request analyzing means (106) (page 9, line 19 to page 10, line 2); and

information transmission means (106) for transmitting the specific information to which the identifier is added (e.g., FIG. 5) to the information processing device (e.g., M1, M2) which has provided said instruction to said information transmission apparatus (page 11, lines 1-6).

Independent claim 9

Claim 9 is directed to an information transmission method. Embodiments of the information transmission method are shown in Figs. 8-12 and described generally at pages 15-27. The information transmission method comprises:

receiving an instruction including both a request for transmission of specific information and an identifier from one of a plurality of information processing apparatus connected with one

another by way of a common connection line, said identifier identifying said information processing apparatus that has made the transmission request and said plurality of information processing apparatus having their respective identifiers (page 15, lines 23-28);

analyzing the specific information to be transmitted and the identifier associated with said instruction (page 16, lines 16-25);

storing array data about arrays each indicating a correspondence between one of a plurality of different pieces of information and an identifier identifying at least one of said plurality of information processing apparatus (operation ST1 in Fig. 8, page 15, line 28 to page 16, line 15);

adding the identifier associated with said instruction to the specific information associated with said instruction by referring to said array data based on analysis results obtained in said analyzing the specific information (operation ST11 in Fig. 10, and page 18, lines 1-11); and

transmitting the specific information associated with said instruction to which the identifier is added to the information processing device which has provided said instruction (operation ST12 in FIG. 10, and page 18, lines 11-17).

Dependent claim 3

Claim 3 depends from claim 1, and recites that when receiving an instruction indicating a request for transmission of specific information, said request analyzing means adds only an identifier associated with said instruction to said array data if a correspondence between the specific information associated with said instruction and at least one identifier is included in the array data stored in said storage means (FIG. 11, YES in operation ST113, and operations

ST114, ST116, and ST118, page 24, lines 14-24, page 25, line 18 to page 26, line 13), and adds both identification information identifying the specific information and the identifier, which are associated with said instruction, to said array data if no correspondence between the specific information associated with said instruction and at least one identifier is included in the array data (FIG. 11, NO in operation ST113, and operations ST115, and ST119-ST121, page 24, line 14 to page 25, line 7, page 26, lines 14-29).

Dependent claim 7

Claim 7 depends from claim 1, and recites that the common connection line is a single cable (Fig. 1, 108, and page 7, lines 7-11).

Dependent claim 15

Claim 15 depends from claim 1, and recites that the plurality of the information processing apparatus (e.g., Monitors M1-M4 in FIG. 1) are connected to the information transmission apparatus (100) only via the common connection line (FIG. 1, 108, page 27, lines 21-25, and page 29, lines 15-21).

Dependent claim 17

Claim 7 depends from claim 9, and recites that the plurality of the information processing apparatus (e.g., Monitors M1-M4 in FIG. 1) are connected to the information transmission apparatus (100) only via the common connection line (FIG. 1, 108, page 27, lines 21-25, and page 29, lines 15-21).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The issues on appeal are summarized as follows:

1. Whether claims 1-18 are properly rejected under 35 U.S.C. § 103(a) as being unpatentable over Blahut.

VII. ARGUMENT

At least for the reasons discussed below, Appellants submit that the prior art rejection of claims 1-18 on appeal is improper, and reversal of the prior art rejection is requested. Appellants turn now to the rejection at issue.

Claim Rejections - 35 U.S.C. § 103

Claims 1-18 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Blahut. For *at least* the followings reasons, Appellants respectfully traverse the rejection.

Appellants respectfully submit that claim 1 is patentable over Blahut. For example, claim 1 relates to an information transmission apparatus. The apparatus comprises, *inter alia*, request analyzing means, storage means, information addition means, and information transmission means. The request analyzing means receives an instruction including both a request for transmission of specific information and an identifier identifying an information processing apparatus that has made the transmission request. The information processing apparatus making the transmission request is from among a plurality of information processing apparatus, which are connected with said information transmission apparatus by way of a common connection line.

The storage means stores array data about arrays. Each array indicates a correspondence between one of a plurality of different pieces of information to be transmitted (to the requesting information processing apparatus) and at least an identifier identifying one of said plurality of information processing apparatus. The information addition means adds the identifier associated with said instruction to the specific information associated with said instruction by referring to

said storage means based on analysis results from said request analyzing means. The information transmission means transmits the specific information to which the identifier is added to the information processing device which has provided said instruction to said information transmission apparatus.

In the Amendment filed December 13, 2007 in response to the Office Action issued on September 14,2007 (hereinafter, "the December 13th Amendment"), Appellants submitted that Blahut does not disclose or suggest any storage means for storing array data that indicates a correspondence between one of a plurality of different pieces of information to be transmitted (to the requesting information processing apparatus) and at least an identifier identifying one of said plurality of information processing apparatus (*see* the December 13th Amendment, page 9, last paragraph). In particular, it was pointed out that in Blahut, a count of how many active TVs 107 are tuned to a selected channel and the selected channel itself are stored in a lookup table. That is, no identifier of the TV 107 is stored in the lookup table (Blahut, col. 2, lines 55-58, col. 7, lines 38-49, and col. 9, lines 53-56).

In response, in the Final Office Action issued February 25, 2008 (hereinafter, "Final Office Action"), the Examiner, referring to paragraph [0020] of Blahut alleged that "[i]t may be interpreted that, to maintain a count of active TVs watching a selected program, an identifier must be present for each TV. Otherwise, it would not be possible to differentiate between televisions in order to obtain an accurate count (as opposed to counting the same television twice, etc.). Blahut discloses that a remote control ID (the remote corresponding to a television) exists, for one example of such identifiers in the Blahut system" (Final Office Action, page 2, paragraph 3).

In the Response to the Final Office Action filed May 22, 2008 (hereinafter, "the May 22nd Response"), Appellants respectfully disagreed with the Examiner and submitted that the teachings of Blahut are being misinterpreted in the Final Office Action. For example, Blahut explicitly states that "a count of how many active TVs 107 are tuned to the selected program" is maintained in the lookup table in paragraph [0020]. In addition, the Examiner's given reasoning for interpreting the count as an identifier is inadequate. More particularly, Appellants fail to understand how the same television would be counted twice in Blahut. For instance, if a TV 107 tunes into a first channel, Blahut's method requires the count with respect to the TVs tuned into the first channel to be incremented. Now, if the TV 107 switches to another channel, the count for the TVs tuned into the first channel would decrease. At this point, if the TV 107 switches back to the first channel, the count with respect to the first channel would legitimately be incremented again. As such, Appellants respectfully submitted that merely disclosing that a count of tuned-in TVs 107 is maintained with respect to each selected channel does not teach or suggest storing array data that indicates a correspondence between one of a plurality of different pieces of information to be transmitted (to the requesting information processing apparatus) and at least an identifier identifying one of said plurality of information processing apparatus as claimed. In fact, one of ordinary skill in the art would not store TV identifiers for obtaining the value of a counter.

Furthermore, it was submitted in the December 13th Amendment that Blahut explicitly states that "only the count of how many of TVs 107 are receiving the selected program channel number is updated" if the selected program channel number is presently being viewed by another active TV 107 (Blahut, col. 10, lines 6-9). Responding to this argument, it was indicated in the

Final Office Action that the "Examiner feels the applicant is misinterpreting the intended meaning of this excerpt. It is clear reading the whole of [0026] that Blahut is stating that only the count of TVs is updated if another TV is playing the selected program as opposed to initiating a new separate feed for the program from upstream. Blahut is not saying that the count is updated as opposed to all other storage of identifiers, etc. Clearly, the identifier may be interpreted as being communicated for same reasons as in the preceding paragraph [paragraph 3]" (Final Office Action, page 3, paragraph 4).

Appellants respectfully disagreed, and submitted in the May 22nd Response that the previous arguments were in view of Blahut's entire disclosure, and the above-noted portion of Blahut clearly teaches that only a count of the number of TVs 107 tuned into a subject channel is maintained in Blahut. The Examiner contends in the Final Office Action that the count is maintained only if another TV is playing the selected program, and does not teach that the storage of identifiers is precluded in such a case. Appellants respectfully pointed out that during none of the creation, maintenance, or update phases of the lookup table does Blahut teach that the identifiers (e.g., the remote control identifiers) are stored therein. Moreover, even if the subject TV 107 is the first TV to tune into a particular channel, only the count of the TVs 107 (in this case, one) and the selected channel are stored in the look-up table (*see* third bullet in paragraph [0026] of Blahut).

In response, on page 2 of the Advisory Action issued on May 28, 2008, the Examiner continues to contend that the look up table which maintains the count of the number of TVs requesting a certain channel teaches the claimed identifiers of the information processing apparatus (Advisory Action, page 2, second paragraph). Now, the Examiner reasons that when a

user transmits a channel change (up/down) signal to the ONU 106 in Blahut, the ONU 106 needs to know the identifier of the requesting TV so it can decrement the count in the lookup table. Appellants submit, however, that although the ONU 106 may recognize an identifier of the remote control/TV, it still does not need the identifier to decrement the count. Rather, the ONU 106 simply needs to know that one of the TVs requesting the certain channel is no longer requesting it, in order to decrement the count without any specific identification of the subject TV itself. As such, Appellants respectfully submit that there is no disclosure, teaching, or suggestion in Blahut that an identifier of the TV 107 is maintained in the lookup table.

It was also submitted in the December 13th Amendment and the May 22nd Response that since no **identifier** of the TV 107 is ever maintained by the lookup table in Blahut, Blahut does not teach or suggest the claimed information addition means which adds the identifier associated with the (requesting) instruction to the specific information associated with the instruction, and the claimed information transmission means which transmits the specific information **to which the identifier is added** to the information processing device which has provided the instruction to the information transmission apparatus (December 13th Amendment, page 10, first full paragraph to page 11, line 3, and May 22nd Response, pages 6 and 7).

In the Advisory Action, the Examiner continues to maintain that the features upon which the Appellants rely are not recited in the rejected claims. Specifically, the Examiner asserts that the above-noted feature of claim 1 is interpreted as "tracking a corresponding identifier for an entity requesting a program, and then providing the program to the identified entity. The claim is not specific enough to require that the identifier be embedded in the program as argued by Applicant. Blahut discloses adding identifiers of televisions viewing a selected program and

providing the program to the identified televisions in response. Clearly, the identifier must be present in order to properly feed the programs to the units...the broadest reasonable definition of 'adding' and 'transmitting' corresponds to the reasoning and rejection given. Namely, maintaining a look-up table that links a selected channel number and the identifiers of televisions/remotes tuned to said channel, and transmitting the selected programs to the corresponding televisions" (Final Office Action, page 4, lines 1-2, and Advisory Action, page 2, third and fourth paragraphs, emphasis added). Appellants respectfully disagree.

As an initial matter, and as previously pointed out in the May 22nd Response, Appellants respectfully submit that the subject features are **explicitly** recited in claim 1. As noted above, claim 1 recites that the claimed information transmission means (corresponding closest to Blahut's ONU 106) transmits the specific information (corresponding closest to a selected program channel) to which the identifier is added to the information processing device (corresponding closest to Blahut's TV 107) which has provided the instruction to the information transmission apparatus. The Examiner incorrectly states that providing the program to the identified entity can be interpreted as transmitting the specific information **to which the identifier is added** to the information processing device as claimed. In Blahut, however, the program provided to the identified entity does not have **added** thereon any identifier as required by claim 1. Accordingly, Blahut does not teach or suggest this feature of claim 1.

In relation to claim 1, it was further submitted in the December 13th Amendment that Blahut does not teach or suggest that the plurality of information processing apparatuses are connected with the information transmission apparatus by way of a **common** connection line. Rather, the selected channel number indicated in a control message (from the TV 107) is

transmitted to the TV 107 via a coaxial cable (December 13th Amendment, page 11, first full paragraph to page 12, line 7). The Examiner, in response, asserted that since Official Notice was relied upon in the case, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references (Final Office Action, page 4, paragraph 6).

Appellants, in the May 22nd Response, pointed out that only Blahut was cited in the September 14th Office Action, and no other reference was cited in support of the Official Notice. Moreover, the Examiner alleged that Blahut's "ONU 106 receives transmission requests from a plurality of remote controls and this may be thought of as a common connection. In fact, wireless communication may be seen as being motivated by the same goal of a single common connection line, that of minimizing the need of hardware" (September 14th Office Action, page 4, second full paragraph, and Final Office Action, page 8, first and second paragraphs). As submitted in the December 13th Amendment, the selected channel number in Blahut is transmitted to the TV 107 via a coaxial cable (Blahut, col. 5, paragraph [0014]). This is not a wireless transfer, which the Examiner is relying on to disclose the claimed common connection line. Rather, the transmission of the different programs to the active TVs is carried out via **different** coaxial cables from the ONU 106, as shown in FIG. 1. As such, Appellants respectfully submit that it would not be obvious to a skilled artisan to connect Blahut's multiple TVs 107 to the ONU 106 by way of a **common** connection line, contrary to the Examiner's assertions in the Final Office Action.

In view of the Appellants' arguments in the December 13th Amendment, the Examiner cited a new reference in the Final Office Action, namely U.S. Patent No. 7,136,042 to

Magendanz *et al.* ("Magendanz"), to support the Official Notice (Final Office Action, page 4, last paragraph, and page 8, third paragraph). The Examiner contends that in view of Magendanz, "the inclusion or exclusion of a common connection line by Blahut is a moot point". *Id.*

Appellants respectfully disagreed, and submitted in the May 22nd Response that merely citing a reference that shows multiple displays connected to a display controller via a single video cable still does not explain how different programs (i.e., different video signals) in Blahut could be transmitted at the same time to different TVs within the same home, which is an object of Blahut's invention (Blahut, Abstract, and col. 7, lines 1-14). If Magendanz's single video cable was employed in Blahut's system, all the TVs at the home would be limited to receiving only one video signal at any given time, or at best, receive staggered transmission of the different channels since they would have to be time-multiplexed on the single video cable. Since Magendanz's single video cable teaches away from the objective of Blahut, a skilled artisan would have no reason to draw from the teachings of Magendanz to modify Blahut.

In response to these arguments, the Examiner acknowledges in the Advisory Action that Blahut alone does not teach this feature. The Examiner incorrectly states, however, that the Appellants argued that "Magendanz may not be incorporated into Blahut because Blahut transmits programs via coaxial and a common connection line would render it impossible to transmit different channels is not a convincing argument for patentability" (Advisory Action, page 2, fifth paragraph). First, the Examiner is mischaracterizing the argument because it was submitted on pages 7-9 of the May 22nd Response, as noted above, that merely citing a reference (Magendanz) that shows multiple displays connected to a display controller via a single video cable (alleged common connection line) still does not explain how different programs (i.e.,

different video signals) in Blahut could be transmitted at the same time to different TVs within the same home, which is an object of Blahut's invention. The Examiner has not addressed this argument.

Further, regardless of how the Examiner characterizes the Appellants' arguments, the Examiner's assertion that such arguments are not convincing for patentability is inaccurate since MPEP 2143.01.V states that "[i]f proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984)". Here, it is clear that implementing the single video cable of Magendanz into Blahut's system would render Blahut's system unsatisfactory for its intended purpose of transmitting different programs at the same time to different TVs within the same home.

Moreover, this proposed combination impermissibly changes the principle of operation of Blahut's system. MPEP 2143.01.VI dictates that "[i]f the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious. *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959)". Here, if the single video cable of Magendanz is incorporated in to Blahut's system, multiple channels cannot be transmitted to the same house at the same time on that single cable. Therefore, a *prima facie* case of obviousness has not been established.

In view of the foregoing, Appellants respectfully submit that Blahut alone, or in combination with Magendanz, does not teach or suggest the above-noted features of claim 1. Accordingly, withdrawal of the 35 U.S.C. § 103(a) rejection is respectfully requested.

Claim 9 recites features similar to those discussed above with respect to claim 1. Therefore, claim 9 is patentable for *at least* reasons similar to, but not necessarily coextensive with, those given above with respect to claim 1.

Claims 2-8 and 10-18 are patentable *at least* by virtue of their dependency. Further, Appellants respectfully submit that claims 3, 15, and 17 are patentable for reasons other than their dependency.

For example, it was submitted in the December 13th Amendment that claim 3 is patentable for the additional features recited therein. The Examiner, in the Final Office Action, contends that the arguments submitted with respect to claim 3 have been addressed by the Examiner's response to the arguments regarding claim 1 (Final Office Action, page 5, paragraphs 7 and 9). It was submitted in the May 22nd Response, however, that such a response by the Examiner is incomplete since additional arguments were provided for *at least* claim 3 in the December 13th Amendment, and therefore, these arguments must be separately addressed.

In response, in the Advisory Action, the Examiner contends that the arguments related to claim 1 are still applicable to claim 3 (Advisory Action, page 2, sixth paragraph). However, Appellants submit that the Examiner must answer the substance of the previously submitted arguments with respect to claim 3. For instance, MPEP § 706.07(f) dictates that "[w]here the applicant traverses any rejection, the examiner should, if he or she repeats the rejection, take note of the applicant's argument and answer the substance of it" (emphasis added). In other words, Appellants respectfully submit that arguments with respect to claim 3 remain unrebutted.

Moreover, in the May 22nd Response, it was pointed out that claim 3 recites that when receiving an instruction indicating a request for transmission of specific information, said request

analyzing means **(1)** adds only an identifier associated with said instruction to said array data if a correspondence between the specific information associated with said instruction and at least one identifier is included in the array data stored in said storage means, and **(2)** adds both identification information identifying the specific information and the identifier, which are associated with said instruction, to said array data if no correspondence between the specific information associated with said instruction and at least one identifier is included in the array data. That is, the data (either only an identifier associated with the instruction or both identification information identifying the specific information and the identifier) added to the array data is dependent on the correspondence (or lack thereof) between the specific information associated with the instruction and at least one identifier. There is no such determination in Blahut when transmitting a video signal of a selected channel to the respective TV 107. Specifically, the video signal is merely decoded by an MPEG2 decoder 306 in the ONU 106 and then supplied to the TV 107 without any addition of data to the video signal based on the correspondence between the selected channel and at least one identifier of the TVs 107, as required by claim 3 (Blahut, cols. 7-8, paragraph [0021]). Accordingly, claim 3 is patentable over Blahut.

In addition, it was submitted in the May 22nd Response that claims 15 and 17 are patentable for *at least* reciting that the plurality of the information processing apparatus are connected to the information transmission apparatus **only** via the common connection line. As discussed above with respect to claim 1, and as acknowledged by the Examiner, Blahut does not teach or suggest that the TVs 107 are connected to the ONU 106 via the common connection line. Claims 15 and 17 explicitly require the plurality of the information processing apparatus to

be connected to the information transmission apparatus **only** via this common connection line. Further, it has been shown above that the Official Notice regarding this feature is improper. For instance, connecting Blahut's TVs 107 **only** via a single cable (as taught by Magendanz) to the ONU 106 teaches away from Blahut's objective of transmitting different programs to different TVs at the same time within the same home. Accordingly, claims 15 and 17 are patentable over the proposed combination of Blahut and Magendanz.

The Examiner, in the Advisory Action, contends that these arguments are not convincing for the reasons given with respect to claim 1 in relation to a common connection line. Appellants respectfully submit that claims 15 and 17 further limit the noted feature of claim 1, and thus, such a generic response to the Appellants' arguments is not sufficient to support the rejection. In other words, Appellants' arguments stand unrebutted.

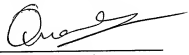
Moreover, Appellants submit that since it has been shown above that claim 1 is patentable over Blahut despite the Examiner's response regarding the above-noted features of claim 1, the Examiner's response to the arguments related to claims 3, 15, and 17 is also rendered moot.

Conclusion

For the reasons discussed above, Appellants respectfully request the Board to reverse the final rejections of the pending claims 1-18.

The statutory fee of $510.00 is being paid via EFS filing screen. Also, the USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Date: August 25, 2008

CLAIMS APPENDIX

CLAIMS 1-18 ON APPEAL:

1. An information transmission apparatus comprising:

request analyzing means for receiving an instruction including both a request for transmission of specific information and an identifier from one of a plurality of information processing apparatus connected with said information transmission apparatus by way of a common connection line, said identifier identifying said information processing apparatus that has made the transmission request and said plurality of information processing apparatus having their respective identifiers, and for analyzing the specific information to be transmitted and the identifier associated with said instruction;

storage means for storing array data about arrays each indicating a correspondence between one of a plurality of different pieces of information to be transmitted and at least an identifier identifying one of said plurality of information processing apparatus;

information addition means for adding the identifier associated with said instruction to the specific information associated with said instruction by referring to said storage means based on analysis results from said request analyzing means; and

information transmission means for transmitting the specific information to which the identifier is added to the information processing device which has provided said instruction to said information transmission apparatus.

2. The information transmission apparatus according to Claim 1, wherein when said request analyzing means receives instructions indicating a request for transmission of identical specific information from two or more of said plurality of information processing apparatus, said information adding means adds two or more identifiers associated with said instructions to the identical specific information associated with said instructions.

3. The information transmission apparatus according to Claim 1, wherein when receiving an instruction indicating a request for transmission of specific information, said request analyzing means adds only an identifier associated with said instruction to said array data if a correspondence between the specific information associated with said instruction and at least one identifier is included in the array data stored in said storage means, and adds both identification information identifying the specific information and the identifier, which are associated with said instruction, to said array data if no correspondence between the specific information associated with said instruction and at least one identifier is included in the array data.

4. The information transmission apparatus according to Claim 1, wherein when transmitting two or more of different pieces of the specific information, said information transmission means performs time division processing according to a number of different pieces of the specific information to be transmitted and then transmits them in units of a predetermined transmission unit time.

5. The information transmission apparatus according to Claim 4, wherein when there is a change in the number of different pieces of specific information to be transmitted in units of the predetermined transmission unit time because of an instruction indicating an information transmission request which said request analyzing means newly receives, said information transmission means newly performs time division processing.

6. The information transmission apparatus according to Claim 1, wherein said information transmission means transmits image information about one frame in units of a predetermined transmission unit time.

7. The information transmission apparatus according to Claim 1, wherein said common connection line is a single cable.

8. The information transmission apparatus according to Claim 1, further comprising a hard disk for storing said plurality of different pieces of information that can be read and transmitted by said information transmission means.

9. An information transmission method comprising:

receiving an instruction including both a request for transmission of specific information and an identifier from one of a plurality of information processing apparatus connected with one another by way of a common connection line, said identifier identifying said information

processing apparatus that has made the transmission request and said plurality of information processing apparatus having their respective identifiers;

analyzing the specific information to be transmitted and the identifier associated with said instruction;

storing array data about arrays each indicating a correspondence between one of a plurality of different pieces of information and an identifier identifying at least one of said plurality of information processing apparatus;

adding the identifier associated with said instruction to the specific information associated with said instruction by referring to said array data based on analysis results obtained in said analyzing the specific information; and

transmitting the specific information associated with said instruction to which the identifier is added to the information processing device which has provided said instruction.

10. The information transmission method according to claim 9, wherein if the receiving of the instruction comprises receiving instructions indicating a request for transmission of identical specific information from two or more of said plurality of information processing apparatus, the adding of the identifier comprises adding two or more identifiers associated with said instructions to the identical specific information associated with said instructions.

11. The information transmission method according to claim 9, wherein in the receiving the instruction indicating the request for transmission of specific information, the adding of the identifier comprises adding only an identifier associated with said instruction to

said array data if a correspondence between the specific information associated with said instruction and at least one identifier is included in the array data stored by the storing the array data, and the adding the identifier comprises adding both identification information identifying the specific information and the identifier, which are associated with said instruction, to said array data if no correspondence between the specific information associated with said instruction and at least one identifier is included in the array data stored by the storing the array data.

12. The information transmission method according to claim 9, wherein if the transmitting of the specific information is transmitting two or more of different pieces of specific information, the transmitting of the specific information comprises performing time division processing according to a number of different pieces of specific information to be transmitted and then transmitting the number of different pieces of specific information in units of a predetermined transmission unit time.

13. The information transmission method according to claim 12, wherein, when there is a change in the number of different pieces of specific information to be transmitted in units of the predetermined transmission unit time because the receiving the instruction newly receives an instruction indicating an information transmission request, the transmitting of the specific information further comprises newly performing time division processing according to the changed number of different pieces of the specific information to be transmitted.

14. The information transmission method according to claim 9, wherein said common connection line is a single cable.

15. The information transmission apparatus according to claim 1, wherein the plurality of the information processing apparatus are connected to the information transmission apparatus only via the common connection line.

16. The information transmission apparatus according to claim 15, wherein said common connection line is a single cable.

17. The information transmission method according to claim 9, wherein the plurality of the information processing apparatus are connected to the information transmission apparatus only via the common connection line.

18. The information transmission method according to claim 17, wherein said common connection line is a single cable.

EVIDENCE APPENDIX:

Appellants submit, pursuant to 37 C.F.R. § 41.37(c)(1)(ix), that no evidence submitted pursuant to 37 C.F.R. §§ 1.130, 1.131, or 1.132 or any other evidence, other than the prior art references of record, have been relied upon by Appellant in the appeal.

RELATED PROCEEDINGS APPENDIX

No proceedings have been identified above in Section II pursuant to 37 C.F.R. § 41.37(c)(1)(ii).